

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

COCHISE MILES, ADC #119012

PETITIONER

v.

4:06-CV-00862-WRW

LARRY NORRIS

RESPONDENT

ORDER

Pending is Petitioner's Motion for Certificate of Appealability (Doc. No. 19).

The standard for evaluating a certificate of appealability petition is established in 28 U.S.C. § 2253(c)(2): "A certificate of appealability may issue . . . only if the applicant has made a substantial showing of the denial of a constitutional right." The Eighth Circuit has explained that "[a] substantial showing is a showing that issues are debatable among reasonable jurists, a court could resolve the issues differently, or the issues deserve further proceedings."¹

Since Petitioner has not made a substantial showing of the denial of any constitutional right, the Motion for Certificate of Appealability is DENIED.

IT IS SO ORDERED this 9th day of June, 2008.

/s/ Wm. R. Wilson, Jr. _____
UNITED STATES DISTRICT JUDGE

¹*Cox v. Norris*, 133 F.3d 565, 569 (8th Cir. 1997).